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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Fifteenth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)*
OF THE 36th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 22 November 1996, at 3 p.m.

Chairperson: Mr. GRISSA

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* The summary record of the second part (closed) of the meeting appears as document E/C.12/1996/SR.36/Add.1.

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GE.96-19300 (E)

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 4) (continued)

Third periodic report of Belarus (continued) (E/1994/104/Add.6; E/C.12/1995/LQ.6/Rev.1, E/C.12/CA/25; HRI/CORE/1/Add.7)

Implementation of article 9 of the Covenant (continued)

1. The CHAIRPERSON invited the Belarusian delegation to reply to the questions put by members of the Committee at the previous meeting.

2. Mrs. SATOLINA (Belarus) said that the statutory age of retirement did not necessarily set a limit to working life. An employer was entitled to extend the contracts of workers reaching the age of retirement or to conclude new and renewable two-year contracts with them. The employee would then receive his or her retirement pension together with a wage or salary.

3. The Social Protection Fund, established in 1993, was financed from employers' and employees' contributions, from the State budget and from voluntary contributions and various other sources.

4. Mr. SHCHERBAU (Belarus) indicated that the information contained in the written replies (document with no symbol, in English only) to the list of issues to be taken up (E/C.12/1995/LQ.6/Rev.1) dated from 1994 and some changes had occurred since then. The Social Protection Fund had, for example, replaced the Pensions Fund and the Social Insurance Fund. The Employment Fund was designed to finance unemployment insurance and employment schemes and functioned by means of compulsory contributions from enterprises and other economic entities, voluntary contributions and the State budget. Since 1994, moreover, there had been a slight increase in the proportion of the State budget devoted to social protection, public health and education, largely due to the ageing of the population.

5. Mrs. JIMENEZ BUTRAGUENO said she found it strange that there should be such a difference between women and men in terms of the age for retirement. If women had to retire earlier than men and were also entitled to lengthy periods of maternity leave, they would always be considered as supplementary labour.

Implementation of article 10

6. The CHAIRPERSON inquired about the effects of the Chernobyl disaster on children's health and asked what measures the Belarusian authorities had taken to mitigate the problems resulting from the accident.

7. Ms. TAYA said that she would like to know whether the large outflow of people from rural areas observed in Belarus and the many social problems associated with that phenomenon were due to the former system of land tenure.

It would be of interest to have information about the current situation in that regard and to know whether reforms were being contemplated.

8. Mr. TEXIER said that he would appreciate further information about the situation of single-parent families, as referred to in paragraph 66 of the report. Concerning divorce, it would be interesting to know what procedures were applied, what decisions could be taken by the courts regarding the future of any children and what means were employed when one of the parents failed to comply with maintenance obligations. Was there real equality between men and women in cases of divorce? Lastly, what was the situation regarding child labour?

9. Mr. SHCHERBAU (Belarus) said that 2 million people, including 600,000 children, had been contaminated by the radioactive fall-out from the explosion at the Chernobyl nuclear power plant. The statistics showed an increase in certain diseases, such as thyroid cancer, among children. The Belarusian authorities had taken steps to monitor the health of the people affected, as well as preventive measures involving the supply of medicines and uncontaminated food to the people who had to live in the contaminated zone. Belarus was also receiving substantial aid, particularly from western Europe, and in that context 10,000 children travelled abroad each year for follow-up in other countries.

10. Contrary to what Ms. Taya appeared to believe, the process of urbanization did not necessarily have negative implications for economic, social and cultural rights. Belarus was now a modern society and the traditional and patriarchal ways of life persisted only in remote areas. To be sure, Belarus was experiencing some difficulties in the farming sector, essentially because the kolkhoz system had not yet changed. In that regard, the public would be asked during the referendum to be held shortly whether they were in favour of the privatization of agricultural land.

11. Mrs. SATOLINA (Belarus) said that supplementary benefits were provided for families with children, and especially for single-parent families. If one of the parents failed to meet his or her maintenance obligations and payment of such maintenance could not be secured, an allowance was granted for each child concerned.

12. Divorce was governed by the Marriage and Family Code, under which two procedures were possible: dissolution of the marriage at the civil registry office in the case of mutual consent, and adjudication by a court in other cases. If required to intervene, the court would ascertain which of the spouses offered the better opportunities for the children and would then set the amount of maintenance to be paid. While the principle of equality between men and women was respected, children were in practice very frequently entrusted to their mother.

13. Mr. SHCHERBAU (Belarus) said that the law prohibited all forms of child labour but in practice, according to the statistics, some 50,000 children aged under 14 years were reportedly not going to school. Those young children generally performed small jobs to help their families. Unfortunately, during

a period of economic crisis, the Belarusian authorities were not in a position to create the conditions for such families to dispense with their children's financial assistance.

14. Ms. TAYA asked why people were leaving the countryside when the cities could not offer work for everyone.

15. Mr. SHCHERBAU (Belarus) replied that city dwellers generally earned more and lived better than rural dwellers, even if housing conditions in urban areas were sometimes poor. The drift from the land might, indeed, have adverse consequences to the extent that it resulted in an ageing rural population. The Belarusian authorities were aware of the need to tackle the root causes of that problem.

Implementation of article 11

16. The CHAIRPERSON asked why the production of consumer goods had on the whole declined whereas that of alcoholic beverages appeared to have risen, according to the information contained in the written replies.

17. Mr. THAPALIA said that he would like to know the percentage of persons living below the poverty line and what measures were being taken to improve their situation. In addition, what was the economic situation of migrant workers?

18. Mr. TEXIER asked what political measures were being contemplated to reverse the decline in purchasing power of the population. Concerning the right to housing, it would be interesting to know how privatization was affecting rents and what measures had been taken to control rent increases. Also, were there many homeless people and, if so, what steps were being taken to improve their situation?

19. Mr. AHMED referred to the report of the Economist Intelligence Unit for the second quarter of 1995, as cited in the country analysis (E/C.12/CA/25), which pointed to a deterioration of the economic situation in Belarus and indicated that payment of one tranche of an International Monetary Fund (IMF) loan had already been delayed and that a loan from the European Union might also be postponed if the President of Belarus reneged on his promises of reform or if his authoritarian tendencies hardened into an explicitly dictatorial regime. Had those loans been made available or were they suspended? Could Belarus expect to receive foreign economic assistance in the near future?

20. Mr. ANTANOVICH (Belarus) indicated that alcoholism was frequent in the Commonwealth of Independent States (CIS). During the Soviet era, the law had provided for medical treatment of alcoholics and research had been under way to combat alcoholism. Lack of resources had ended that project. Enormous quantities of alcoholic beverages from some neighbouring countries were now available at low prices. The Government aimed to improve the free rehabilitation centres for alcoholics and to raise taxes on alcohol.

21. Purchasing power had fallen in Belarus but by the year 2000 unemployment and inflation were expected to decrease. It should be noted that children, students, disabled persons and pensioners were entitled to food allowances.

22. With regard to migration, many of the aliens currently in Belarus were in transit to countries of western Europe. There was no specific law covering such persons and guaranteeing them a minimum standard of living. The phenomenon was not very marked and the authorities were dealing with it.

23. No statistics were available on homelessness. The small number of homeless persons did not justify instituting a special programme of assistance. There were, however, centres to accommodate such persons. Privatization had led to rent increases. Although rents were a third of those in Warsaw or Moscow, a three-room apartment costing about $350 a month, they were higher than the average wage, which was $100. The Government would therefore be subsidizing the construction of apartments in order to meet its obligations in respect of housing.

24. Belarus hoped to regain credibility and win the confidence of foreign investors. The IMF had delayed, but not cancelled, payment of the second tranche of a loan it had agreed to provide and the Belarusian authorities were doing their utmost to clarify the situation. Germany had invested in a number of small and medium-sized enterprises in Belarus, in particular through a $50,000 pilot project in the agri-food sector. France was also reportedly planning to invest in some small and medium-sized enterprises. If Belarus did not manage to deal with the economic difficulties it was experiencing, the Government would request international assistance. However, it had to be acknowledged that no one in Europe was ready to invest in Belarusian heavy industry. The great majority of the population felt that precedence should be given to economic cooperation with the Russian Federation. No politician would win an election now if he declared that he intended to cooperate with western Europe. Taking account of the wishes of the people was, in his view, a proof of democracy.

25. The Belarusian authorities would provide the Committee with statistics on poverty alleviation within the next six months. Mothers and children were better protected today.

Implementation of article 12

26. Mr. CEAUSU noted that the Government had not replied to the Committee's written questions on article 12. He therefore requested the delegation to provide information in that regard.

27. Mr. ANTANOVICH (Belarus) said that the health indicators were poor not because of inadequate implementation of the law but because the environment was harmful. The Chernobyl disaster had affected a fifth of the population and had led to an increase in the mortality rate. Some 600,000 children were living in the contaminated areas, from which 420,000 people had been evacuated. Three pharmaceutical plants had been set up to improve the supply of medicines to the children and adults of those regions. However, the privatization of pharmacies meant that the most disadvantaged persons had difficulty in obtaining medicines. The Government had requested the

pharmaceutical industry to reduce by 10 per cent the prices of medicines for disabled persons, children and pensioners, and was encouraging local production of medicines under foreign licence. The persons contaminated were cared for and given places free of charge in sanatoriums and convalescent homes. He welcomed the assistance provided by Europe in that regard and the fact that thousands of Belarusian children were regularly invited for stays abroad.

28. People with serious mental illnesses (question 45 of the list of issues) received care free of charge and could be hospitalized, even without their consent or that of their families. A panel of psychiatrists would determine whether a patient should be institutionalized, and in that regard the authorities kept in mind the abuses committed during the Soviet period. Governmental and non-governmental bodies had not reported any case of wrongful institutionalization reminiscent of the Sakharov affair.

29. Every effort was being made to educate the public and train specialized health-care staff in order to reduce the number of unwanted pregnancies. In Belarus, only 15 per cent of the population were Catholics, the majority being Orthodox. Abortion, which did not give rise to impassioned debate as in the Catholic countries, was authorized. Sex education was provided in schools and civil society favoured increased medical prevention to combat AIDS.

30. The CHAIRPERSON requested further information on the question of AIDS.

31. Mrs. JIMENEZ BUTRAGUEÑO said that she would like more information about family planning in Belarus, as well as details of the assistance given to retired persons to enable them to obtain expensive medicines.

32. Mr. TEXIER said that he would like to know what AIDS prevention measures were being taken. Had there been campaigns to encourage the use of contraceptives? Was there any discrimination against people with AIDS? Referring to paragraph 105 of the report, he inquired why the death rate exceeded the birth rate.

33. Mr. SHCHERBAU (Belarus) said that there had been no reported cases of AIDS in Belarus until early 1996. However, 200 cases had been reported in the first half of that year in a city of 70,000 inhabitants, mostly involving drug abusers who had been contaminated by foreigners. The authorities had requested assistance from the international community and had intensified preventive measures. In that connection, it should be noted that the law prohibited the distribution of narcotics. Arrangements should be made to supply addicts with drug substitutes, but Belarus was not in a position to produce such substances. AIDS testing was anonymous and any medical authority which made a diagnosis public would be liable to sanctions. People with AIDS were treated as citizens in the full sense. Belarus was participating actively in United Nations efforts to combat AIDS and to protect human rights.

34. The decline in the birth rate had begun nearly half a century before, as living conditions had improved, particularly in the 1970s, according to a kind of universal law which meant that when people had the wherewithal to supply their own needs it became unnecessary to have a large number of children to provide for them in old age. The decline had reached a record figure in 1993,

when the death rate had surpassed the birth rate. That year had probably reflected the cumulative effect of the economic crisis - which made a child a luxury - and fear about the aftermath of the Chernobyl accident. The trend was continuing because all those factors were still present.

35. Regarding the dissemination of information about modern methods of contraception (question 46), Belarus had a vast network of medical and family counselling centres; it was possible to terminate a pregnancy, and to use contraceptive methods.

36. The provision of medicines for retired persons was guaranteed by law. Medicines were free for people suffering from occupational illnesses, and in other cases they were available at a small charge.

Implementation of articles 13 to 15 of the Covenant

37. Mr. WIMER ZAMBRANO asked what provision was made for the national minorities to play a role in education, whether they benefited from special measures and whether public instruction was provided in languages other than Belarusian or Russian.

38. Mrs. SATOLINA (Belarus) replied that, under the Constitution, Belarusian was the official State language and was taught as the first language. Along with Belarusian and Russian, pupils were required to learn a foreign language. In addition, when a national minority constituted a geographically homogeneous community, it was possible to set up schools or simply groups where their own language could be taught. There was also an Act on National Minorities, which recognized the right of the minorities to use their own language and to establish their own educational institutions and cultural centres.

39. Mr. ANTANOVICH (Belarus) said that on its independence Belarus had sought to preserve its language in order to mark its sovereignty clearly, but in response to public protests the teaching of Russian had been reinstated. Schools had been opened to offer primary education in Belarusian, but only 25,000 out of 1 million schoolchildren had opted for that type of education, since Russian was a language traditionally taught in Belarus and had the advantage of providing access to universities in the Russian Federation for those students who spoke it. Although the minorities were entitled by law to their own education, members of the minorities were generally scattered among the population and it was therefore difficult to create educational centres for them. There were, nevertheless, two schools and one private university where instruction was given in Polish, and three schools where teaching was in Hebrew.

40. In response to a question from the Chairperson, he explained that the declining number of pupils entering primary schools was due to the significant drop in the birth rate.

41. Lastly, as Deputy Minister for Foreign Affairs of Belarus, he wished to announce that a special service would be set up within his ministry to gather the information required from other ministries and make sure it was accurate, so that the reports would reflect the situation in Belarus as it really was, the weaknesses of the system included. Clearly, the ideas and standards set

forth in the Covenant had to permeate the whole life of the country and the public must be informed; he would himself be writing to the President and the Parliament to advise them on what measures should be taken. He wished to end on an optimistic note. According to the information he had just received, tensions were abating and after the referendum the President and the Parliament would have a period of three months during which passions could be calmed and progress made by the country along the path of democracy.

42. The CHAIRPERSON thanked the Belarusian delegation for its frankness and the clarity of its statements. The Committee was well aware of the country's current difficulties, which were further aggravated by the aftermath of the Chernobyl disaster, and hoped that Belarus would overcome them as soon as possible.

43. The Belarusian delegation withdrew.

The public part of the meeting rose at 4.55 p.m.